IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF GEORGIA MACON DIVISION

DANIEL HARGROVE,)
Plaintiff,) }
v.) CIVIL ACTION NO. 5:12-CV-47 (MTT)
WARDEN GLEN JOHNSON, et al.,)))
Defendants.))

<u>ORDER</u>

This matter is before the Court on the Order and Recommendation of Magistrate Judge Charles H. Weigle. (Doc. 13). The Magistrate Judge reviewed this case pursuant to 28 U.S.C. §§ 636 and 1915A. The Magistrate Judge recommends (1) that the Plaintiff's Eighth Amendment claims against Defendants Warden Glen Johnson, Unit Manager Tommy Trimble, Sergeant Bellinger, and Sergeant Floyd for denial of adequate clothing be dismissed for failure to state a claim upon which relief could be granted; (2) that the Plaintiff's retaliation claim be dismissed for failure to state a viable claim; and (3) that the Plaintiff's Free Exercise claim against Defendant Shevondah Fields be dismissed. The Magistrate Judge also orders that the Plaintiff's free exercise claims against Defendants Warden Johnson, Chaplin Hill, and Deputy Warden George Ivey be allowed to go forward.

The Plaintiff has not objected to the Order and Recommendation. After a thorough review, the Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge. The Plaintiff's retaliation and Eighth

Amendment claims are dismissed. Further, the Plaintiff's free exercise claim against Defendant Shevondah Fields is dismissed. Thus, only the Plaintiff's free exercise claims against Defendants Warden Johnson, Chaplin Hill, and Deputy Warden George Ivey remain.

SO ORDERED, this the 2nd day of May, 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT